

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FOSTER J. GIBBONS

Petitioner,

-against-

LOUISE M. SMITH, Individually and as Beneficiary of  
LOUISE M. SMITH IRA,

Respondent.

X Index Number:

01 Civ. 1224 LAP (KNF)

Hon. Loretta A. Preska

ORDER

X

THE PARTIES previously appeared before the Court on March 20, 2010 and agreed to settle the matter in the amount of \$125,000. The parties appeared for a telephone status conference on May 16, 2012. During the status conference, the parties apprised the Court that Petitioner, Foster J. Gibbons, has fallen a year behind in his payments to Respondent, Louise M. Smith. The parties further stated that Foster J. Gibbons is \$30,000 behind on his payments to Louise M. Smith.

IT IS HEREBY ORDERED THAT the settlement agreement dated March 20, 2010 shall remain in effect; and,

IT IS FURTHER ORDERED THAT Foster J. Gibbons shall immediately issue the \$2,500.00 payment due for the month of May to Respondent;


IT IS FURTHER ORDERED THAT Foster J. Gibbons shall make monthly payments of \$2,500 to Respondent pursuant to the settlement agreement on or before the first calendar day of each month;

IT IS FURTHER ORDERED THAT in the event Foster J. Gibbons fails to make a \$2,500 payment pursuant to the settlement agreement prior to the tenth calendar day of

any month, he shall be deemed to be in contempt of court. In the event the subject payment is not made by the tenth day of the month, the Respondent shall request the Court to schedule a hearing to determine the appropriate sanction.

Dated: New York, New York

~~May~~ 2012  
June 4, 2012

  
Hon. Loretta A. Preska  
Chief United States District Judge